

February 2, 1976

To me this is an absolute admission by the Legislature that the conditions that we have in these areas, with the class six - class three contiguous, must be worked out.

Now should LB 383 pass it's only the next session when the city people will be back in to attempt some other legislative move so that their position can be maintained. It will only be the next session after that that the rurals will be back in to maintain their position, when at this time, in 1976, we have an opportunity to have this conflict settled. LB 383 is not a settlement. It works like this, if there is annexation in a class one district the school boards affected, namely three--the city board, the class one board and the class six board meet and negotiate. Obviously, this is just words in the Statute because there cannot be any negotiation. Neither one of those three districts will give up their tax base, therefore, that is a wordless paragraph in the statutes. The next step is for an election by the people in the district in which there is annexation occurring. These are useless words in the statutes because, obviously, those people in that district will not vote to give up their tax base. Therefore, what in effect we do is give to a class six district the same status and privilege that a class three has, meaning that a class three cannot annex a class three. We're extending this privilege to a class six. I do not believe that to be good public policy at this time.

Please use your position as a State Senator to write public policy and not to write for the majority ... or the minority that have contacted you regarding the particular merits of this bill such as ... our statutes allow now that those people in the class six, that so desire, to freeze that boundary forever can do it under our statutes and they can do it with a class three district. Therefore, they are not hampered in protecting their tax base. The Legislature has provided them with the ability to protect their tax base by being a class three district. It is unwise to extend, to the high school district, this same protection that you extend to the class three, the K-12 district. I believe that it is in the best interest of the class six and the class three and the class one. The argument comes up that the free-holder rights will protect those individual people. Yes, in a first class city you can have a block of five houses, and five properties and three of them could choose the rural district and two of them choose the city district. Now you really have a social climate in the community that just plain, simply is undesirable.

Let's kill 383 on Final and continue to work in the compromise and negotiations that have gone on. Senator Lewis is very knowledgeable in this area. He lives in a city that has this problem. He understands it. His position, as our Chairman and leader in Education in this Legislature is attempting to put the status quo to an error that was made by this Legislature. That seems to me to be a very unworkable position, the same as 383 is unworkable.

I plead with you to return it and strike the enacting clause.